

tions. And all unexpended road tax at the date of the passage of this Act shall be paid over by the Minister of Finance to the respective Road Supervisors of each district, when collected. And all other moneys for roads and bridges shall be expended by the Board of Road Commissioners of the respective districts under the direction of the Minister of the Interior.

"Sec. 7. On or about the first day of July in each year it shall appear on inspection of the Board of Road Commissioners that the roads and bridges of any district are in satisfactory condition any unexpended balance of road money of such district shall on the requisition of the Minister of the Interior be paid over to the Governor and shall be expended for road work in any other district of the same judicial circuit when it may be required or if no work is required it shall be held as a contingent fund for future use and the responsibility of the Road Supervisor shall cease when such money is paid to the Governor.

"Sec. 8. Chapter 28 of the Laws of 1884, (known as the Road Supervisors' Act), and all other laws and parts of laws so far as they conflict with the provisions of this Act are hereby repealed.

"Sec. 9. This Act shall take effect from and after the date of its approval.

Representative Castle, on suspension of the rules, read for the first time a bill to provide for the maintenance and material fund. On suspension of the rules the bill was read a second time by title and referred to the following select committee: The Attorney-General, Reps. Kaulukou, Dole, Kala and Thurston.

On motion the Assembly now resolved into committee of the Whole to consider the report of the committee on Accounts. After a short discussion, in which Rep. Kaulukou expressed himself as of the opinion that the Assembly was to blame for any muddle in the accounts of the Secretary, the committee rose and reported the little progress made.

At 4.45 on motion the Assembly adjourned until 10 a. m. on the next day.

NINETY-NINTH DAY.

SATURDAY, Sept. 11.

The Assembly convened at fifteen minutes past the usual hour, pursuant to adjournment from the previous day. At the time of the delivery of the prayer by the Chaplain, only five members were in their places, and at roll-call only fifteen, including the Attorney-General, answered to their names.

Under suspension of the rules, the following petitions were presented:

By Representative Kalua, from residents of Ulupalakua, Maui, praying that the pay of the Postmaster at that place be increased. Tabled.

By Representative Kaula, from the "Queen's Own" Volunteer military company, praying that the sum of \$5,000 be appropriated for their use for the purpose of purchasing arms and accoutrements. Referred to Military Committee.

By Representative Liliuokalani, from Liliuokalani Guards, praying that the sum of \$5,000 be appropriated for their use for the purpose of purchasing arms and accoutrements. Referred to Military Committee.

Representative Ahole, from the Finance Committee, presented the following majority report on the bill indemnifying the Minister of Finance, signed by himself and Reps. Richardson and Haystack, viz:

"The members of your Finance Committee having had under consideration a bill introduced by the late Minister of the Interior, on June 21st, 1886, entitled 'An Act to indemnify the Minister of Finance,' beg leave to report that, upon close examination and consideration, they find that the amount of \$61,843 14 has been actually paid out by the late Minister of Finance on the following accounts:

Expenses of Supreme Court	\$ 2,500 00
Interest Account on Bonds	6,700 00
Interior Department	2,880 30
Support of Prisoners	20,371 95
Expenses of Civil and Criminal Cases	1,000 00
New Building, Kapahulu	7,124 00
Custom House Incidentals	600 00
Interest on Special Loan	9,725 22
Government Surveying	1,875 00
Return Taxes by order of Supreme Court	1,412 07
New Police Court Building	2,329 40
Pay of Tax Assessors	2,747 84
Pay of Tax Collectors	2,087 09

"The item of \$2,885.59 paid to the Interior Department was paid on account of and under the following circumstances:

"It appears that on March 31, 1884, when the Chief Clerk of the Department of the Interior made up his final accounts for the biennial period that close on that date he found a shortage of \$2,885.59, and being unable to give any explanation of this at the time, he was required by the Minister of the Interior to make good the deficit out of his own pocket, which he did, feeling satisfied at the time that a more thorough and extended search than he had been able to make would result in discovering the error, which was afterwards found in the following way: In entering the Marshal's Prison accounts in the books of the Interior Department, debit entries had been entered as credit entries and vice versa—the difference being the amount above stated. The whole matter was thoroughly investigated by the Auditor-General, who reported in writing to the Cabinet that the amount should be refunded to the Chief Clerk.

"The item of \$9,725, on account of interest on special loan, was paid out and duly receipted by the parties receiving the same, and was on account of money borrowed from time to time to time during the last period on special loan account, as mentioned in the Finance report.

"The new Police Court building item of \$2,329.40 was on account of building the new Police Station; the appropriation of \$19,000 not having been sufficient to complete the building, which, on account of pressing need, it was deemed important to finish as speedily as possible.

"The two last items, viz: \$2,747.84, pay of tax assessors, and \$2,087.09, pay of tax collectors, were for balance due to them as commissions, the appropriation not having proved sufficient. The late Minister of Finance strongly recommended to the last Legislature to increase the items of pay of assessors and tax collectors to \$30,000 and \$25,000 respectively, pointing out at the same time that, in his opinion, it would be necessary. The Assembly, however, voted but \$28,000 and \$25,000 for this purpose, and it was found insufficient.

"In conclusion, your committee believe that the whole amount has been reported properly and for needful purposes, and therefore recommend that the bill pass." Tabled for presentation of minority report.

Representative Dickey, from the same committee, presented a minority report on the same subject, as follows:

"The entire expenditures were made contrary to article 15 of the Constitution which reads 'Article 15. No subsidy, duty or tax of any description shall be established or levied without the consent of the Legislature: nor shall any money be drawn from the Public Treasury without such consent except when between the sessions of the Legislative Assembly the emergencies of war, invasion, rebellion, pestilence, or other public disaster shall arise and then not without the concurrence of all the Cabinet and of a majority of the whole Privy Council; and the Minister of Finance shall render a detailed account of such expenditure to the Legislative Assembly.'

"There have been no war, invasion, rebellion, pestilence or other public disaster during the past period, none of the expenditures mentioned in the bill were allowable under a strict construction; moreover none of said expenditures were acted upon by the Privy Council as required, nor has a detailed account of the same been rendered to this Assembly.

"The expenditures were all made by authority of Cabinet Council resolutions. In passing such resolutions the Cabinet usurped an authority to which they were not lawfully entitled, and hereby made themselves individually and personally responsible for the action of the Minister of Finance.

"Two of said items: Pay of Tax Assessors \$ 2,747 84 Pay of Tax Collectors 2,087 09

Could have been avoided entirely if the Minister of Finance had used ordinary judgement. He could, in the exercise of the power in him vested, have fixed the commission of Assessors and Collectors in the District of Honolulu at 2 1/2 per cent, instead of the exorbitant commission of 4 per cent, as allowed by him. Thusly saving the country about \$7,500 during the biennial period, and said items would never have appeared in an indemnity bill.

"Two more of said items: Interest account of bonds \$ 6,700 00 Interest on special loan 9,725 22

Rest on an illegal basis and should be stricken out.

"The former was paid on 9 per cent bonds held by the Robinson estate, and which matured and should have been paid on September 1, 1884. They were renewed without legal authority by a private agreement between the representative of the estate and the Minister of Finance, which was equivalent to a special loan of the amount of the bonds at 9 per cent. The latter item was for interest on a special loan made without shadow of

"Your committee cannot condemn too severely the illegal action of the Minister of Finance, and is of opinion that he and other members of the late Cabinet, as accessories before the fact, were guilty of malfeasance in office; that he and they should be proceeded against to the full extent of the law, and that the said Minister of Finance be compelled to refund the amount of \$16,475 22 illegally paid by him, as above, as interest on matured bonds and special loan.

"However, as the present Minister of Finance should not be responsible for the illegal act of his predecessor, and as all the items of expenditure, except the \$16,475 22 above mentioned, are such as ought to have been paid out in due time under proper authorization, your committee recommend that the bill pass with the following amendment: Beginning after the words 'sum of,' in the first line of the preamble, strike out the words 'Sixty-one thousand eight hundred and forty-three 14-100 dollars [\$61,843 14],' and insert in place thereof the words 'fifty-three thousand three hundred and thirty-three 90-100 [\$53,333 90]'; also strike out in line 5 of the preamble the words, 'interest account on bonds, \$6,750,' and insert in place of same, 'expenses of Queen Emma's funeral, \$5,965 98'; also, strike out in line eleven of the preamble the words, 'interest on special loan, \$9,725 32,' and insert in place thereof, 'search of schooner, Ka Maui, \$2,000,' and that the Attorney General of the Kingdom be instructed to bring suit against the late Minister of Finance and all others legally responsible for the sum of \$16,475 22, interest expenditure above mentioned.

"The items recommended for insertion in the bill as above were duly submitted by the Privy Council, and were omitted for no apparent reason. They were the only items fully entitled to a place therein. Respectfully submitted.

C. H. DICKEY.

Report tabled for consideration with majority report and bill.

The Minister of Interior, on the Printing Committee, reported the following bills as printed and ready for distribution: An Act to amend the law relative to Board of Inspectors of Election; an Act to prescribe the residence required by law as necessary to the exercise of the elective franchise; an Act to amend the General Election Law of the Kingdom, by repealing the requirement of a tax receipt on voting or otherwise.

Representative Castle presented the following resolution: "Resolved, That the pay of officers of the Legislative Assembly of 1886, where not provided for by the rules of the House, shall be as follows: Pay of Clerk per day, \$12; pay of Interpreter per day, \$12; pay of Messenger per day, \$3; pay of Janitor per day, \$3; which amounts shall be paid to said officers for each day of actual assembling of the House, and no other." Referred to a select committee to be named.

Representative Nahuia presented a resolution that the Minister of Interior, as President of the Board of Health, instruct the Road Supervisor for the district of Honolulu to fix the road leading to Kakaako from the foot of Punchbowl street. The honorable member said the late heavy rains had left the road in a terribly bad condition, and on account of the accumulation of rubbish there was a very bad smell. Tabled for further consideration.

The Order of the Day now being moved the following bills were read a third time and passed, viz: 1. To provide a permanent settlement for Her Royal Highness Princess Poomalkani. 2. To provide a permanent settlement for Hon. W. C. Parks. 3. To provide a permanent settlement for Mr. Thomas Everett. 4. To provide a permanent settlement for Hon. Abraham Fornander.

Interpreter Wilcox called the attention of the Assembly to a discrepancy in the translation of the two versions of the last bill, the amount of the annuity in the English version being \$200 and in the Hawaiian \$1,200.

The vote passing the bill was reconsidered, the proper corrections made, but pending action, there being no quorum present, the Assembly, at 12:30 adjourned until 10 a. m. Monday.

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Passengers by this route will have two days and two nights at the VOLCANO HOUSE.

TICKETS FOR THE ROUND TRIP TO THE VOLCANO, FIFTY DOLLARS, WHICH PAYS ALL CHARGES.

The Kinau will arrive in Honolulu Sunday mornings on Volcano Trips. On Hilo Trips, will leave Honolulu on Tuesdays, and return Saturday morning.

PASSENGER TRAINS connect with the Kinau at Mahukona.

The Kinau WILL TOUCH at Honokaa and Paauhau on down trips from Hilo, for Passengers, if a signal is made from the shore.

STEAMER LIKELIKE,

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Leaves Honolulu every Monday at 5 P. M. for "Kaua, Kaula, Lihou, Lihou, Hana and Kipahulu, every week; Kaula, Mokulua and Niihau, every week. Returning, will stop at the above ports, arriving back Saturday morning.

*For mails and passengers only.

STMR. KILAUEA HOU,

CAMERON, Commander.

Will leave regularly for Lahaina, Paauhau, Kohala, Lihou, Kaula, Hoonahia, Laupahoehoe, Hailan and Onomea.

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Leaves for the following ports every alternate Monday at 4 p. m.:

Commencing August 2nd—To Lahai, Kamalo, Pukou, Lahaina, Olowahu. Returning to Lahaina, Pukou, Kamalo, Lahai, arriving at Honolulu Saturday morning. Commencing August 9th—To Kaula, Kamalo, Pukou, Hailan, Wailan, Pelekuni, Kalaupapa, returning to Pukou, Lahaina, Olowahu, Lahaina, Pukou, Kamalo, Kaula, arriving in Honolulu Saturday morning.

The Company will not be responsible for any freight or packages unless receipted for, nor for personal baggage unless plainly marked. Not responsible for money or jewelry unless placed in charge of the Purser.

All possible care will be taken of Live Stock, but the Company will not assume any risk of accident.

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Honolulu, March 30, 1886. 1043 0

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Clam and Fish Chowder, Lewis Sausage Meat, Vienna Sausage, 1 and 2lb Tins. Ham do. 2lb Tins.

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Ox Tongues, whole, Dried Clams, 1 and 2lb Tins. Jars Cranberry Sauce.

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